



**Governor's Advisory Council  
To The Division of Developmental Disabilities**

March 21, 2019  
10 a.m. – 12 p.m.  
1056 Governor's Avenue  
Dover, DE

**Council Members:**

Terri Hancharick, Chair  
Stan Trier  
Tom Rust  
Tim Brooks  
Angie Sipple  
Gail Womble via teleconference

**Staff Members:**

Marie Nonnenmacher, Director  
Marissa Catalon, Deputy Director  
Terry Macy, Director of Community Services  
Kamin Giglio, Assistant Director of Community Services, Policy & Planning  
Stacy Watkins, Assistant Director of Community Services, Chief of Operations  
Erik Hochrien, Director of LifeSpan Supports, Kent/Sussex Counties  
Vicky Gordy, minutes

**Guests Present:**

Terry Olson, The Arc of Delaware  
Vivian Turner, CERTS, Inc.

**Review of Previous Meeting Minutes**

Council members reviewed and approved the minutes from the January 17, 2019 meeting. Due to not having a quorum, the February 28, 2019, meeting provided notes.

**Meeting Minutes**

**Budget Update**

Nothing to report.

**Lifespan Waiver Update**

To date, there are 362 approved applications for people living at home and another 50 are at DMMA for review. DMMA has also approved 40 new applications for people who are receiving residential services. DDDS participated in eight family information sessions hosted by providers, from March 11-20, 2019. Between these events and the work by Community Navigators, we now have approximately 100 additional Waiver applications in the review process.

The Lifespan Unit engages with families via telephone, at various events, at provider's locations throughout Delaware and has recently updated the frequently asked questions document and presentation, both of which are available on DDDS website. The response from the provider community is amazing. Staff are trying hard to learn accurate information to share with individuals and families. DDDS will share the document that outlines how the Lifespan Unit has engaged with families, individuals, and providers to inform these groups about the Lifespan Waiver.

According to a Council member, many families are concerned about guardianship as it relates to applying for the Lifespan Waiver. However, guardianship is a non-issue for the Waiver application. There is no requirement that a person have a guardian; furthermore, regulation states that anyone acting in good faith on behalf of the person may assist with application.

Community Navigator turnover continues, per Council report. It will take time to stabilize this workforce. Columbus has high expectations for their staff. Columbus has a variety of mechanisms in place to ensure their staff are performing as expected. Not all people who Columbus hires to be a Community Navigator can self-manage; and this position requires self-management. The Delaware Executive Director for Columbus recently resigned. The new Delaware Executive Director for Columbus, Jose Hernandez has stated he is committed to this work and has a "hands on" supervisory approach. Many top Community Navigators have received promotions during the recent re-organization. Vacant Community Navigator positions rarely go unfilled for more than 30 days, due to Columbus' robust recruitment strategies. DDDS plans to invite Mr. Hernandez to a GAC meeting and a DDDS Quarterly Provider meeting in the future for introductions.

It is important to DDDS that all people enrolled in DDDS, who wish to receive services, become eligible for Medicaid. This enables DDDS to leverage federal funds and helps with the division's efforts to make services sustainable for the future. It is possible that some people who had previously applied for Medicaid, but were denied will now be eligible once they apply for the Lifespan Waiver. The income limit for the Lifespan Waiver is higher than regular Medicaid eligibility. Traditional Medicaid eligibility requires income be no greater than 133% of the federal poverty level (approximately \$1500), but the Lifespan Waiver allows income up to 250% of the federal benefit rate (approximately \$1900). Regular Medicaid covers people living at home who are enrolled in school services and/or who have not yet sought a day service, but who are in need of Targeted Case Management (TCM) services.

DDDS is doing everything possible to inform and support people with applying for the Lifespan Waiver. The Lifespan staff meet people where they are; some people require minor explanations about how to apply while others have more complicated situations and require more assistance. Delaware is unique in that almost no other state supports 100% state funding for services, and many states have a lengthy waiting list to receive services. Delaware does not want to have to deny or limit needed services; therefore, it is important that we do this work now and support people to become Medicaid eligible. DDDS is working with DMMA to develop a more streamlined process for those who are enrolled in the Delaware State Health Plan Plus, Long Term Care Waiver, who want to continue to receive employment or day services.

### **Provider Enrollment Update**

The Council agreed to discuss "Provider Enrollment Update" on a quarterly basis: January, April, July and October. The Council also reviewed the re-formatted "DDDS Bi-Weekly Status of Providers for New Lifespan Waiver Services". There is at least one provider for each of the services added by the LifeSpan Waiver.

DDDS created an internal workgroup to develop a "So, You Want to be a Provider" manual to assist potential new providers with the provider application and enrollment process. The target completion date for the manual is July 1, 2019. DDDS also plans to develop and schedule routine informational sessions for prospective providers to assist them with the application process and to inform them of all the necessary activities for provider enrollment.

## **Revisions to DDDS Rules**

DDDS shared the following draft policies with Council and providers for feedback and comments:

- Incident Reporting
- Provider Sanctions
- Client Funds Management

The council discussed the draft Client Funds Management policy. As part of the Statewide Transition Plan (STP) for the Home and Community Based (HCBS) settings rule, Delaware had to perform a systemic review of all laws, regulations, policies and practices to ensure rule compliance. One of the standards in HCBS rule was that people have access to their money at all times. At the time, the Client Funds policy did not allow for that, thus required revision. DDDS has drafted this new policy and has engaged with providers to solicit feedback and assist with walking the line between providing access, but yet safeguarding funds. Operationalizing this new policy will include the expectation that all providers use the Personal Funds Module in Therap, so spending records will be documented and tracked in the electronic system. DDDS has scheduled six provider-training sessions in early-May on the use of Therap's Personal Funds Module. The draft policy requires providers to audit daily, weekly, and monthly. The Support Coordinators are responsible for oversight and monitoring and the Service Integrity and Enhancement unit is responsible for the yearly "quality service review process" that ensures policy adherence.

The Council discussed many unique scenarios that may or have occurred regarding clients fund management. The planning process supports this policy. CMS requires that as person's circumstances change, the appropriate parties meet to determine the person's needs are met.

DDDS appreciates all feedback and/or comments surrounding each of these draft policies/regulations. The Council was asked to send all feedback and comments to Katie Howe.

## **GAO HCBS Report**

Deferred

## **GAC Retreat Topics**

Council reviewed and chose topics for discussion during the April 18, 2019, GAC retreat.

## **Other Business/Announcements**

The ARC of Delaware shared feedback received from parents and other providers who have expressed that Stacy Watkins, DDDS Assistant Director of Community Services, Chief of Operations is extremely helpful.

DDDS submitted the renewal application for Pathways to Employment to DMMA, and it is in route to CMS for review and approval. Pathways to Employment is a program designed to support teens and young adults with disabilities in Delaware who want to work. The program helps participants prepare for work, find jobs, and succeed in the workplace. DDDS expects CMS to continue to approve this program.

## **Adjournment**

Meeting adjourned at 12:00 p.m.

Future Meetings

April 18, 2019 ( <b>Retreat</b> )	9:00 a.m. – 2:00 p.m.
May 16, 2019	10:00 a.m. – 12:00 p.m.
June 20, 2019	10:00 a.m. – 12:00 p.m.
July 18, 2019	10:00 a.m. – 12:00 p.m.